



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 43-2026

CHAPTER 410

OREGON HEALTH AUTHORITY

HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILED: 10/14/2026 8:20 AM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Allow CCOs to contract with certain out-of-state outpatient behavioral health provider organizations

EFFECTIVE DATE: 10/14/2026 THROUGH 12/25/2026

AGENCY APPROVED DATE: 10/13/2026

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Filed By:

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NEED FOR THE RULE(S):

The temporary rule language was determined to not have the intended effect. Rather than making further revisions, it was determined that reverting to the permanent rule language previously in place would be preferable at this time.

JUSTIFICATION OF TEMPORARY FILING:

(1) Describe the specific consequences that result from the failure to immediately adopt, amend or suspend the rule(s):

Without suspending the rule, there would be ongoing confusion as to the intent of the incorrectly worded temporary rule language.

(2) Who would suffer these consequences:

CCOs and their members

(3) Why or how failure to immediately take rulemaking action would cause these consequences:

Incorrectly worded rule language would remain in place for over two months before the temporary language would expire.

(4) How the temporary action will avoid or mitigate those consequences:

Suspension of the temporary rule language would eliminate any potential confusion.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None

SUSPEND: 410-141-3545

SUSPEND: Temporary 410-141-3545 from DMAP 26-2026

RULE SUMMARY: This rule change is being suspended as it has been determined to no longer be needed as amended.

CHANGES TO RULE:

410-141-3545

Coordinated Care Organization Behavioral Health Provider, Treatment and Facility Certification and Licensure Behavioral health treatment services are covered for eligible OHP clients when provided by a CCO under the following circumstances:¶¶

(1) Provider Organizations; ~~(as defined under OAR 410-120-0000, that provide)~~ of outpatient behavioral health services shall ~~comply with all applicable federal and state rules, including but not limited to OAR chapter 309 and any requirements in the CCO contract, and meet the following criteria:~~¶¶

(a) Be certified by the Authority as described in OAR 309-008-0250 for the scope of services provided; ~~or and~~¶¶

(b) ~~If located outside Oregon:~~¶¶

~~(A) Be licensed and in good standing in the state where the provider operates to provide the applicable services; and~~¶¶

~~(B) Be located no more than 75 miles from the Oregon border. Comply with applicable rules, including but not limited to, those defined in OAR chapter 309 and any requirements in the CCO contract.~~¶¶

(2) A certificate may not be required for certain types of providers, regardless of whether public funds are received, as outlined in OAR 309-008-0250(4);¶¶

(3) Provider organizations (as defined under OAR 410-120-0000) of residential treatment services shall:¶¶

(a) Meet the definition of a residential treatment facility under ORS 430.010, 430.306 and 443.400;¶¶

(b) Be licensed by the Authority as described in ORS 443.725 and OAR chapter 415 divisions 12 and 50 for the scope of service provided; and¶¶

(c) Comply with applicable rules including, but not limited to, those defined in OAR chapter 415 and chapter 309 and any requirements in the CCO contract.

Statutory/Other Authority: ORS 413.042, 414.065, 430.010, 430.306, 443.400, 443.725

Statutes/Other Implemented: ORS 413.042, 414.065, 430.010, 430.306, 443.400